

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,
Plaintiff,

vs.

No. CR 14-415 JP

ANTHONY CHEUN,
Defendant.

DEFENDANT ANTHONY CHEUN'S UNOPPOSED
MOTION TO MODIFY CONDITIONS OF PRE-TRIAL RELEASE

COMES NOW defendant, Anthony Cheun, by and through his counsel of record, Erlinda O. Johnson, and hereby respectfully moves this Court for an order modifying his conditions of pretrial release and as reasons therefore submits the following:

1. On January 29, 2014, Mr. Cheun was arrested for possession with intent to distribute methamphetamine.
2. On January 31, 2014, The Honorable Robert Scott ordered Mr. Cheun Detained pending trial.
3. Mr. Cheun has absolutely no criminal history.
4. On April 29, 2014, Mr. Cheun was released to the third party custody of his sister, Annie Cheun, to reside in Chicago, Illinois.
5. Mr. Cheun has been compliant with all his conditions of release.
6. In May 2015, Mr. Cheun's sister, Annie, accepted a job in Florida. She has relocated to 1801 Palm Warbler Lane, Ruskin, FL 33570-7961.
7. MR. Cheun would like to move to Florida to live with his sister, Ann Cheun.

8. Pre-Trial Services Officer Anthony Galaz does not oppose Mr. Cheun's move to reside at 1801 Palm Warbler Lane, Ruskin, Florida, as Mr. Cheun may be supervised by the nearest U.S. Pretrial Services office.

9. Mr. Cheun respectfully moves this Court for an Order allowing him to move to Florida to reside with his third party custodian, Ann Cheun, on the following conditions:

- a. Mr. Cheun is to reside with Ann Cheun in Ruskin, Florida at the above listed address.
- b. Mr. Cheun will be required to continue drug treatment program while under the supervision of pre-trial services.
- c. Mr. Cheun shall be prohibited from communicating with the co-defendant -- directly or through a third-party.
- d. Mr. Cheun shall be prohibited from possessing any firearms.
- e. Mr. Cheun shall be prohibited from possessing any alcohol, drugs or other intoxicants, attend counseling and drug and alcohol testing, as directed by pre-trial services officer.
- f. Mr. Cheun will be prohibited from travel outside of the Ruskin, Florida area unless it is travel to his Supervising U.S. Pretrial Services Officers and New Mexico for Court hearings or visits with his attorney.
- g. Mr. Cheun shall abide by All other standard conditions of release.

6. Undersigned counsel has been in contact with Pre-Trial Services Officer Anthony Galaz, who advised that U.S. Pre-trial Services does not object to the requested move from Chicago, Illinois to Ruskin, Florida to reside with third-party custodian, Ann Cheun.

10. Undersigned counsel was in contact with Assistant U.S. Attorney, William Pflugrath, who advised that he does not object to the foregoing modification to Mr. Cheun's conditions of release, with the foregoing conditions.

Wherefore, for the foregoing reasons, Mr. Cheun respectfully requests this Court issue an order authorizing Mr. Cheun to move to Ruskin, Florida to reside with Ann Cheun, under the above conditions.

Respectfully Submitted,

electronically filed 6/16/15
Erlinda O. Johnson
Counsel for Anthony Cheun
1110 2nd Street N.W.
Albuquerque, NM 87102

I hereby certify that a true and correct
Copy of the foregoing was provided
To AUSA Pflugrath, on this 16th
Day of June, 2015.

/s/
Erlinda O. Johnson
Attorney at Law